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Robert H. Frantz P.O. Box 23324 Oklahoma City, OK 73123-2334			TRUONG, CAM Y T	
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**BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES**

Application Number: 10/001744

Filing Date: 10/31/2001

Appellant(s): John Falk Kelley.

For Appellant

EXAMINER'S ANSWER

This is in response to the appeal brief filed 5/11/2006 appealing from the Office
Action mailed 3/24/2005.

(1) *Real Party in Interest*

A statement identifying the real party in interest is contained in the brief.

(2) *Related Appeals and Interferences*

A statement identifying the related appeals and interferences which will directly affect or be directly affected by or have a bearing on the decision in the pending appeal is contained in the brief.

(3) Status of Claims

The statement of the status of the claims contained in the brief is correct.

Claims 1-12 are rejected.

(4) Status of Amendments After Final

The appellant's statement of the status of amendments after final rejection contained in the brief is correct.

(5) Summary of Claimed Subject Matter

The summary of claimed subject matter contained in the brief is correct.

(6) Grounds of Rejection to be Reviewed on Appeal

The appellant's statement of the grounds of rejection to be reviewed on appeal is correctly.

The change is as follows:

Claims 1-4, 6, 7-10 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Katinsky et al (or hereinafter "Katinsky") (US 6452609) in view of Madnick et al (or hereinafter "Madnick") (US 5913214).

Claims 1 and 7, Katinsky teaches the claimed limitations:

"displaying in a web page a Context Pane having one or more selectable objects of interest to a user" as displaying a media access web page 10 contains objects

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that can be selected by a user for viewing (fig. 1, col. 7, lines 15-20; col. 8, lines 50-65);

“displaying in said web page a plurality of selectable heterogeneous actions associated with an object and responsive to user selection of an associated object” as displaying in a web page a plurality of icons 60, 62, 64, 66, 68 and 69. This icon associated with media icons 30. In response user’s selection one of media icons 30, the system will display a detail information of this icon as shown in fig. 5. A plurality of icons is represented as a plurality of selectable heterogeneous actions. Each media icon is represented as media object (figs. 3A-4, col. 5, lines 9-11; col. 4, lines 50-52);

“executing an action script in response to user selection of a selectable action, said action script generating a set of results” as the web page contains the program that displays controls, responds to user events. Thus, when a user selects one of media icons 30 in the sequence by clicking on it to make it the current media icon 52, the system has to execute an action program in response to user’s selection. A program is script (figs. 3A-4, col. 5, lines 9-11; col. 4, lines 50-52);

“displaying to said user said action script results in a Content Pane” displaying a bulleted list containing bulleted items 26 after clicking on a subject matter tab 22 in content pane 12 (fig. 2A, col. 4, lines 30-35),

“said information being filtered and sorted according to said user’s interest as indicated by a most recent selection in said Context Pane” as (col. 2, lines 55-60; col. 8, lines 60-65; col. 9, lines 1-10).

Katinsky does not explicitly teach the claimed limitation “said Content Pane containing an aggregation of semi-independent heterogeneous information modules, heterogeneous transaction modules or both”.

Madnick teaches that queries may access multiple data sources 104 in order to generate the answer for a user query. For example, a query may be broken down into multiple sub-queries, some of which access traditional databases, some of which access relational databases distributed over a network, and some of which access semi-structured data sources such as Web page or a menu-driven database system. These sites are all accessed as described respectively above and the separate results are returned. The results from the semi-structured data sources distributed over the network are returned to the wrapper generator 614. The separate responses may be joined by the wrapper generator 614 or by the request translator 102 to provide the user with complete response to the query. The above information shows that system aggregates results from modules and transaction modules (col. 15, lines 24-40).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Madnick’s teaching of aggregating results from different sources to Katinsky’s system in order to retrieve the most

relevance results from semi-structured data sources corresponding to a user's request.

As to claims 2 and 8, Katinsky teaches the claimed limitation "performing a search for information related to said selected object" as after clicking on a tab or outline line in the new media icon access panel 12 generates an SQL query of the interface database 1012 which returns a record set containing the elements to be displayed and the format. This information implies that the system performs a search for records related to the tab or outline. A tab or outline in the new media icon is represented as an object (col. 11, lines 15-20).

As to claims 3 and 9, Katinsky teaches the claimed limitation "retrieving data or information from a database" as (col. 11, lines 15-20).

As to claims 4 and 10, Katinsky teaches the claimed limitation "the step of retrieving current data or information from a datafeed" as after clicking on a tab or outline line in the new media icon, access panel 12 generates an SQL query of the interface database 1012 which returns a record set containing the elements to be displayed and the format. This information implies that the system retrieves a record set containing the elements from database 1012 to display to a user (col. 11, lines 15-20).

As to claim 6, Katinsky teaches the claimed limitation “organizing said content pane into a plurality of selectable workspaces” as (figs. 2C-5).

As to claim 12, Katinsky teaches the claimed limitation “organizing said content pane into a plurality of selectable workspace” as (fig. 2A-2B; col. 4, lines 37-50).

Claims 5 and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Katinsky et al (or hereinafter “Katinsky”) (US 6452609) in view of Madnick et al (or hereinafter “Madnick”) (US 5913214) and further in view of Nikolovska (USP 6452609).

As to claims 5 and 11, Katinsky disclose the claimed limitation subject matter in claim 1, except the claimed limitation “filtering and sorting said results prior to display”. Nikolovska teaches the user views and selects among the results of the search, which is a result of the sorting, filtering, and profiling information (col. 2, line 25-26).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Nikolovska’s teaching of using a text query to filter and sort records in its database representing entry points to WWW into Katinsky’s system in order to eliminate irrelevant information and display results in a visually clear and simple way.

(7) Claims Appendix

The copy of the appealed claims contained in the Appendix to the brief is correct.

(8) Evidence Relied upon

U.S. patents cited by the examiner in the rejection of the Final Office action under appeal.

(9) Grounds of Rejection

The following ground(s) of rejection are applicable to the appealed claims:

Claims 1-4, 6, 7-10 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Katinsky et al (or hereinafter "Katinsky") (US 6452609) in view of Madnick et al (or hereinafter "Madnick") (US 5913214).

Claims 5 and 11 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Katinsky et al (or hereinafter "Katinsky") (US 6452609) in view of Madnick et al (or hereinafter "Madnick") (US 5913214) and further in view of Nikolovska (US 6452609).

(10) Response to Argument

First, Appellant stated that “Katinsky fails to disclose retrieving information such as historical stock trading data, nor such processing data, such as graphing the historical trends of stock data”.

In response: Katinsky teaches retrieving a media stream from the source specified in the media icon record (col. 12, lines 64-66). The above information shows the step of retrieving the media stream. The media stream is represented as information. Thus, Katinsky teaches retrieving information.

It is noted that the features upon which applicant relies (i.e., **historical stock trading data, such as graphing the historical trends of stock data**) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

Second, Appellant stated, “ Katinsky’s display does not use a traditional web page as we have claimed, but instead uses a ‘pageless’ design (col. 3, lines 42-48)”.

In response: Examiner agreed with applicant that Katinsky teaches “pageless” design in (col. 3, lines 42-48). Besides, Katinsky also teaches a displayed media access web page 10 that contains an object can be selected by a user for viewing (fig. 1, col. 7, lines 15-20; col. 8, lines 50-65). The web page 10 is represented as a “web page” in claims. The recited “web page” in claims is not a traditional web page. Thus, Katinsky teaches the “web page” as recited in claims.

Third, Appellant stated “Katinsky does not aggregate information into a simultaneous display of different information items as we have claimed, but instead sequences the playing of media objects”.

In response: Examiner agreed with the appellant that Katinsky does not teach aggregate information from different information. However, the combination of Katinsky and Madnick teaches **aggregating search results from multiple data sources such as traditional databases, relational databases distributed over a network, and semi-structured data sources or a menu-driven database system to response to a user query (Madnick: fig. 6, col. 15, lines 24-38).**

It is noted that the features upon which applicant relies (i.e., **a simultaneous display** of different information items) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

Fourth, Appellant stated that “a prima facie case of obviousness has not been properly established, as this rational is in error because Katinsky in view of Madnick and alternatively Katinsky in view of Madnick in further view of Wecker, would not have been obvious to combine because Katinsky teaches of ‘pageless’ systems for handling of ‘sequenced media object presentation’, while Madnick teaches a page-oriented design (not pageless) for handling semi-structured data (silent regarding media objects, audio,

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streaming video, etc.), and Wecker teaches of a page-oriented design (not pageless) for displaying hyperlinks (but not executing scripts, adopting an OAN model)".

In response: A prima facie case of obviousness has been properly established as this rational is Katinsky in view of Madnick.

The examiner respectfully submits that to establish a prima facie case of obviousness under 35 USC 103, references must provide motivation or suggestion either in the references themselves, or in knowledge generally available to one of ordinary skill in the art; must be analogous; and must teach all claimed limitations.

In this case, the instant application is related to a method of retrieving, displaying information based on user's request, displaying a web page having selectable object of interest to a user and generating a set of results in response to user's selection (fig. 3, page 117, lines 14-18, page 15, lines 8-13).

Examiner respectfully agrees with the appellant that Katinsky teaches of pageless systems for handling of sequenced media object presentation.

However, as discussed in the final office action, Katinsky provides another aspect of a system for retrieving information based on user's query, displaying a web page having selectable objects such topics, people, sites to a user and generating a result in response to a user's selection (figs. 1&2, col. 7, lines 15-20; col. 2, lines 30-37).

Similarly, Madnick provides a system for retrieving information from data sources (col. 1, lines 15-20, fig. 6).

Importantly, Madnick provides an advantage of aggregating search results from multiple data sources such as traditional databases, relational databases

distributed over a network, and semi-structured data sources or a menu-driven database system to response to a user query (fig. 6, col. 15, lines 24-38).

As discuss above, a person of an ordinary skill in the art at the time the invention was made would recognize the advantage of Madnick's teaching of aggregating search results from multiple data sources such as relational databases and traditional databases or sources 612 to response to a user query into Katinsky's system in order to allow a user to retrieve information from different data sources regarding for providing the most relevance results corresponding to user request.

For the above reasons, it is believed that the rejections should be sustained.

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(11) Related Proceeding (s) Appendix

No decision rendered by a court or the Board is identified by the examiner in the related Appeals and Interferences section of this examiner's answer.

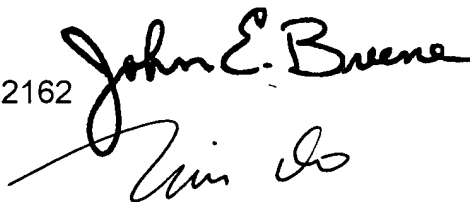
Respectfully Submitted,

Camy Truong
May 23, 2006

Conferees

John Breene, Supervisor, Art Unit: 2162

Tim Vo, Supervisor, Art Unit: 2168

The block contains two handwritten signatures. The top signature is in cursive and reads "John E. Breene". The bottom signature is also in cursive and appears to read "Tim Vo".

Perman & Green, LLP
425 Post Road
Fairfield, CT 06824